



Docket No.: 220104US0CONT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

ATTORNEYS AT LAW

RE: Application Serial No.: 10/086,781

Applicants: Takaaki SEKIYAMA, et al.

Filing Date: March 4, 2002

For: **PROCESS FOR PRODUCING NEW OXAZEPINE DERIVATIVES**

Group Art Unit: 1624

Examiner: COLEMAN, B.L.

SIR:

Attached hereto for filing are the following papers:

Response to Restriction Requirement

Our check in the amount of **-0-** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Stephen G. Baxter, Ph.D.
Registration No. 32,884

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

1940 DUKE STREET ALEXANDRIA, VIRGINIA 22314 U.S.A.
TELEPHONE: 703-413-3000 FACSIMILE: 703-413-2220 WWW.OBLON.COM

DOCKET NO: 220104US0CONT
JUL 09 2004
U.S. TRADEMARK OFFICE
IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN THE APPLICATION OF :
TAKAAKI SEKIYAMA ET AL : EXAMINER: COLEMAN, B.L.
SERIAL NO: 10/086,781 :
FILED: MARCH 4, 2002 : GROUP ART UNIT: 1624
FOR: PROCESS FOR PRODUCING NEW :
OXAZEPINE DERIVATIVES

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the Office Action dated June 9, 2004, Applicants elect, with traverse,
Group I, Claims 1-14.

REMARKS

The Examiner has required restriction in the above-identified application as follows:

Group I: Claims 1-14;

Group II: Claim 15; and

Group III: Claims 16-22.

Applicants have elected, with traverse, Group I, Claims 1-14.

Restriction is only proper if the claims of the restricted groups are either independent or patentably distinct. MPEP §803. The burden is on the Examiner to provide adequate reasons and/or examples to support any conclusion of patentable distinctness between the restricted inventions. MPEP §803. Applicants respectfully traverse the Restriction